



AM54.001RX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nishimori, et al.
Appl. No. : ^{ca}90/006,337
Filed : July 26, 2002
For : METHOD OF EVALUATION OF
SKIN-CONDITIONING...
Examiner : T. Criares

Group Art Unit (1617)

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 1, 2003

(Date)

Che S. Chereskin
Che Swyden Chereskin, Ph.D., Reg. No. 41,466

**COMMENTS ON STATEMENT OF REASONS FOR PATENTABILITY
AND/OR CONFIRMATION**

United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Intent to Issue Ex Parte Reexamination Certificate mailed June 11, 2003, Applicants respectfully request that the following Comments on Statement of Reasons for Patentability and/or Confirmation be placed in the reexamination file.

Appl. No. : 90/006,337
Filed : July 26, 2002

REMARKS

On the first page, lines 5-7 of the "Statement of Reasons for Patentability and/or Confirmation," the Examiner states that the "Requester considers that claims 1-3 are unpatentable over the Bryce and four references in which L. Kligman is the author." This statement is inaccurate. The Request for Reexamination by the Patent Owner which was filed on July 23, 2002 merely states that the newly submitted prior art was believed to raise a new question of patentability for claims 1-3 as this art was not previously of record. The Patent Owner/Requestor has never considered claims 1-3 to be unpatentable.

No fees are believed to be required. However, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

July 1, 2003

By:

Che S. Chereskin

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

H:\DOCS\CSC\CSC-5378.DOC
063003